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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,917	02/08/2001	Takashi Ikemori	1466.1026	5837

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EXAMINER

WEBB, JAMISUE A

ART UNIT PAPER NUMBER

3629

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/778,917

Applicant(s)

IKEMORI ET AL.

Examiner

Jamisue A. Webb

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Responses

1. The Amendment to the drawings, specification and Claims as well as the arguments, which were submitted 6/26/04, have been entered and considered herein.

Drawings

2. The drawings were received on 6/26/04. These drawings are accepted.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 10 and 12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

5. In Claim 10 the phrase "or to a default location" is claimed. The specification lacks an adequate description of a "default location". It states that there can be other places that can be designated for the consignment location, but is silent to the fact of there being a default location. Therefore, it is unknown how a user specifies a default location and what the default location is.

6. In Claim 12 recites the phrase "selecting a plurality of parcels to be delivered to a single consignment relay station". The specification only deals with selecting "a" parcel or delivery and lacks an adequate description on a plurality of parcels are selected and delivered to one consignment relay station.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 8 and 9 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

9. With respect to Claims 8 and 9: the phrase "a computer-readable storage" is indefinite. It is unclear to the examiner what a computer-readable storage is. Is this a storage device or a storage medium that is executed by a computer?

10. Claim 9 recites the limitation "the instructing the consignment relay station designated by the receiver to transfer the parcel". There is insufficient antecedent basis for this limitation in the claim. This limitation was amended in the previous claim to "instructing a deliveryman to deliver the parcel...", and therefore it is unclear what the phrase is referring to.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1-9, 14, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukuda (6,085,170) in view of Naidoo (6,629,136) in further view of Hunt et al. (6,496,855).

13. With respect to Claims 1, 5, 8, 14 and 15: Tsukuda discloses the delivery server with a storage medium (see Figure 1) and a method comprising:

- a. Registering consignment information for the delivered good and for the agent receiving the goods (See Figure 1, and Column 2, lines 42-47);
- b. Transmitting delivered goods information, or parcel information from the distribution server to the receiver via e-mail before the goods are delivered (See Figure 5, and Column 5, lines 14-32);
- c. Receiving information about date, time and consignment relay station or agent location (Column 2, lines 42-47, column 8, line 63 to Column 9 line 13, Figures 5 and 12); and
- d. Means for instructing the delivery of a parcel or goods (Figure 8 and column 7, lines 53-55).

14. Tsukuda discloses registering a home address, but fails to disclose transmitting information in the vicinity of the home address. Naidoo discloses registering a home address and delivering localized content to users corresponding to each user's graphical area (see abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tsukuda to transmit or display localized content (such as location of consignment relay station) to a user corresponding to the user's graphical area, in order to provide information regarding location of services, that considers a user's location in the

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determination of which geographical area correspond to the user and automatically delivers contents with those graphical areas. (See Naidoo, Column 2).

15. Tsukuda and Naidoo disclose registering user information such as home address, and discloses transmitting information in regards to the vicinity of the home address, but fails to disclose registering user information including a home address and a working place address.

Hunt discloses the use of user profiles where a home address and a work address are entered, and where the user can choose between the home address and work address (column 6, line 64 to column 7, line 5, and column 7, lines 52-65). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tsukuda and Naidoo to include registering both the home address and the work address, as described in Hunt, in order to allow the user to choose between a set of different profiles, either the home or work address. (See Hunt, Columns 6 and 7).

16. With respect to Claim 2: Tsukuda discloses a method of delivering parcels, where the size (or dimension) of the parcel is needed (column 9, lines 56-64), and the relay station is chosen (column 6, lines 49-52). Tsukuda discloses the system collecting delivery goods information and also discloses the cost of delivery (column 9, lines 4-8). When shipping parcels or goods, weight is needed to determine the cost or rate of shipping, therefore it is inherent in the Tsukuda reference that the delivery goods information includes weight. If it is not inherent in the Tsukuda reference that the delivery goods information includes weight, then it is well known and obvious to one of ordinary skill in the art at the time the invention was made, that weight is collected when shipping any sort of package or goods, to calculate the rate or cost of shipping

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and delivery. For example when mailing something such as a business size envelope, the post office weights the envelope to see if the correct postage is attached.

17. With respect to Claim 3, 6 and 17: Tsukuda discloses an input/output device which is capable of displaying a map (See Figure 1) and Naidoo discloses transmitting information in regards to the vicinity of the user's geographical area in the form of a map to the user's terminal (See Naidoo, Figure 6 and column 3, lines 6-15).

18. With respect to Claim 4: See Tsukuda column 9, lines 1-46.

19. With respect to Claim 7: See Tsukuda, column 7, lines 52-55.

20. With respect to Claim 9: See Column 9, lines 33-46.

21. Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukuda, Naidoo and Hunt as applied to claims 1, 5 and 8 above, and further in view of Tateno et al. (4,836,352).

22. With respect to Claims 10 and 16: Tsukuda discloses the use of a home delivery method comprising the steps of:

- e. Displaying parcel information on a receiver's terminal (Figures 4 and 7);
- f. Displaying consignment relay station information to the receiver (See Figures 1 and 5, Column 2, lines 42-47 and Column 5, lines 14-32);

23. Tsukuda discloses registering a home address, but fails to disclose transmitting information in the vicinity of the home address. Naidoo discloses registering a home address and delivering localized content to users corresponding to each user's graphical area (see abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was

made to modify Tsukuda to transmit or display localized content (such as location of consignment relay station) to a user corresponding to the user's graphical area, in order to provide information regarding location of services, that considers a user's location in the determination of which geographical area correspond to the user and automatically delivers contents with those graphical areas. (See Naidoo, Column 2).

24. Tsukuda and Naidoo disclose registering user information such as home address, and discloses transmitting information in regards to the vicinity of the home address, but fails to disclose registering user information including a home address and a working place address. Hunt discloses the use of user profiles where a home address and a work address are entered, and where the user can choose between the home address and work address (column 6, line 64 to column 7, line 5, and column 7, lines 52-65). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tsukuda and Naidoo to include registering both the home address and the work address, as described in Hunt, in order to allow the user to choose between a set of different profiles, either the home or work address. (See Hunt, Columns 6 and 7).

25. Tsukuda discusses the advantage of decreasing the delivery cost, however fails to disclose calculating a fee or delivery cost of a package. Tateno discloses the use of a collection and delivery center, where a package is weighed and measured and the postage fee is calculated and collected by the user (See abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tsukuda, to add the step of calculating a postage fee, in order to automatically calculate a delivery fee with greater accuracy. (See Tateno, Column 1).

26. With respect to Claim 11: Tsukuda discloses registering information about date, time and consignment relay station or agent location (Column 2, lines 42-47, column 8, line 63 to Column 9 line 13, Figures 5 and 12).
27. With respect to Claim 12: See Tsukuda, Figures 4 and 7 with corresponding detailed descriptions.
28. With respect to Claim 13: Tsukuda discloses an input/output device which is capable of displaying a map (See Figure 1) and Naidoo discloses transmitting information in regards to the vicinity of the user's geographical area in the form of a map to the user's terminal (See Naidoo, Figure 6 and column 3, lines 6-15).

Response to Arguments

29. The 112 2nd paragraph rejections from the previous office action have been overcome, however the current amendment has created some new indefiniteness issues.
30. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

31. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

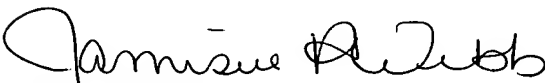
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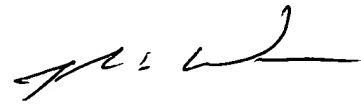
MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamisue A. Webb whose telephone number is (703) 308-8579. The examiner can normally be reached on M-F (7:30 - 4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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